

**ARONBERG, KOUSER, SNYDER
& LINDEMANN, P.A.**

Justin H. Sperling, Esquire

Attorney ID # 212012016

430 Route 70 West

Cherry Hill, New Jersey 08002

(856) 429-1700 Phone

(856) 429-4269 Facsimile

Attorneys for Debtor(s)

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW JERSEY

In the Matter of:	:	Chapter 13
	:	
VERONA RICKETTS,	:	Case No.: 19-14630-MBK
	:	
Debtor(s).	:	Hearing Date: May 19 th , 2020 at 9:00 a.m.
	:	

NOTICE OF DEBTOR'S MOTION TO APPROVE SETTLEMENT

TO: ALBERT RUSSO, ESQUIRE
Standing Chapter 13 Trustee
1 AAA Drive, Suite 101
Robbinsville, NJ 08691

Debtor, Verona Ricketts, has filed papers with the Court seeking an Order approving settlement of her personal injury action, pursuant to 11 U.S.C. § 105(a), Fed. R. Bank. P. 9019(a) and D.N.J. LBR 9019-3 (the "**Motion**").

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the Court to grant the relief requested, or if you want the Court to consider your views on the Motion then on or before May 12th, 2020, you or your attorney must:

File with the Court a written request for a hearing or, if the Court requires a written response, an answer, explaining your position at the U.S. Bankruptcy Court, 402 E. State St., Trenton, NJ 08608. If you mail your response to the Court for filing, you must mail it early enough so the Court will **receive** it on or before the date stated above.

You must also mail a copy to:

ARONBERG, KOUSER, SNYDER
& LINDEMANN, P.A.
Justin H. Sperling, Esquire
430 Route 70 West
Cherry Hill, New Jersey 08002

Attend the hearing scheduled to be held on May 19th, 2020 at 9:00 a.m., in Courtroom #8, U.S. Bankruptcy Court, 402 East State St., Trenton, New Jersey 08608.

If you or your attorney do not take these steps, the Court may decide that you do not oppose the relief sought in the motion and may enter an order granting that relief.

**ARONBERG, KOUSER, SNYDER &
LINDEMANN, P.A.**

BY: 

JUSTIN H. SPERLING, ESQUIRE
Attorney for Debtor, Verona Ricketts

Dated: April 16, 2020

**ARONBERG, KOUSER, SNYDER
& LINDEMANN, P.A.**

Justin H. Sperling, Esquire

Attorney ID # 212012016

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In the Matter of:	:	Chapter 13
	:	
VERONA RICKETTS,	:	Case No.: 19-14630-MBK
	:	
Debtor(s).	:	Hearing Date: May 19 th , 2020 at 9:00 a.m.
	:	

**CHAPTER 13 DEBTOR'S MOTION TO APPROVE SETTLEMENT OF PERSONAL
INJURY ACTION**

Verona Ricketts, the above-captioned debtor (the "Debtor"), by and through her undersigned counsel, hereby submits this motion (the "Motion") for the entry of an Order approving her personal injury settlement pursuant to 11 U.S.C. § 105(a), Fed. R. Bankr. P. 9019(a), and D.N.J. LBR 9019-3. In support of this Motion the Debtor respectfully avers as follows:

JURISDICTION AND VENUE

1. The Court has jurisdiction over this Motion pursuant to 28 U.S.C. §§ 157 and 1334.
2. Venue is proper in this District pursuant to 28 U.S.C. § 1409.
3. This matter is a core proceeding pursuant to 28 U.S.C. § 157(b)(2).
4. The statutory and procedural predicates for the relief requested herein are 11 U.S.C. § 105(a), Fed. R. Bankr. P. 9019(a), and D.N.J. LBR 9019-3.

PROCEDURAL AND FACTUAL BACKGROUND

5. On or about August 18, 2016, the Debtor was injured in an automobile accident. She retained counsel and filed a personal injury action.

6. Aronberg, Kouser, Snyder & Lindemann represented the Debtor, and an Order has been entered authorizing their retention as Special Counsel for the Debtor. A copy of that Order is attached hereto marked Exhibit A.

7. The Special Counsel has tentatively settled the personal injury action for the Debtor subject to Court approval.

8. A copy of the proposed Statement of Distribution is attached hereto marked as Exhibit B.

RELIEF REQUESTED AND THE BASIS THEREFOR

9. By this Motion, the Debtor seeks the entry of an Order approving Settlement described above, pursuant 11 U.S.C. § 105(a), Fed. R. Bankr. P. 9019(a), and D.N.J. LBR 9019-3.

10. Bankruptcy Code section 105(a) of the Bankruptcy Code provides:

The court may issue any order, process, or judgment that is necessary or appropriate to carry out the provisions of this title. No provision of this title providing for the raising of an issue by a party in interest shall be construed to preclude the court from, sua sponte, taking any action or making any determination necessary or appropriate to enforce or implement court orders or rules, or to prevent an abuse of process. 11 U.S.C. § 105(a).

11. Additionally, Bankruptcy Rule 9019(a) authorizes the Court, after notice and a hearing, to approve a compromise or settlement of a controversy. Fed. R. Bankr. P. 9019(a). Although Bankruptcy Rule 9019(a) does not contain explicit standard for judicial approval of a settlement, case law directs the Court to determine whether the settlement is “fair and equitable” and in the best interests of the estate. Protective Comm. for Indep. Stockholders of TMT Trailer Ferry, Inc. v. Anderson, 390 U.S. 414 (1968).

12. Here, the Debtor, in her business judgement, has determined that the Settlement described above is fair and equitable and in the best interest of her estate.

WAIVER OF MEMORANDUM OF LAW

13. The Debtor submits that this Motion does not present novel issues of law requiring the citation to any authority other than the authority cited herein, and accordingly, respectfully request that the Court waive the requirement contained in Local Rule 9013-1 that a separate memorandum of law be submitted.

14. The Debtor reserves her rights, however, to submit a memorandum of law with respect to this Motion in the event that opposition is received.

CONCLUSION

In accordance with the foregoing, the Debtor respectfully requests the entry of an Order granting the relief requested herein to approve the settlement of the personal injury action to distribute in accordance with the Statement of Distribution attached hereto marked Exhibit B.

Respectfully submitted,

**ARONBERG, KOUSER, SNYDER &
LINDEMANN, P.A.**

BY: 

JUSTIN H. SPERLING, ESQUIRE
Attorney for Debtor, Verona Ricketts

Dated: April 16, 2020

Exhibit A

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

Verona Ricketts, Pro Se
33 Hawthorne Lane
Willingboro, New Jersey 08046
Tel (609) 444-8274

In Re:

Verona Ricketts



Order Filed on March 2, 2020
by Clerk
U.S. Bankruptcy Court
District of New Jersey

Case No.: 19-14630

Chapter: 13

Judge: Michael B. Kaplan

ORDER AUTHORIZING RETENTION OF

Verona Ricketts

The relief set forth on the following page is **ORDERED**.

DATED: March 2, 2020

A handwritten signature of Michael B. Kaplan in black ink.

Honorable Michael B. Kaplan
United States Bankruptcy Judge

Upon the applicant's request for authorization to retain Justin H. Sperling
as Special Counsel - Personal Injury Case, it is hereby ORDERED:

1. The applicant is authorized to retain the above party in the professional capacity noted.
The professional's address is: Aronberg, Kouser, et al.
430 Route 70 West
Cherry Hill, New Jersey 08002
2. Compensation will be paid in such amounts as may be allowed by the Court on proper application(s).
3. If the professional requested a waiver as noted below, it is ☐ Granted ☐ Denied.
☐ Waiver, under D.N.J. LBR 2014-2(b), of the requirements of D.N.J. LBR 2016-1.
☐ Waiver, under D.N.J. LBR 2014-3, of the requirements of D.N.J. LBR 2016-1 in a chapter 13 case. Payment to the professional may only be made after satisfactory completion of services.
4. The effective date of retention is the date the application was filed with the Court.

Exhibit B

Aronberg, Kouser, Snyder & Lindemann, P.A.

D/A. 8/18/2016

STATEMENT OF DISTRIBUTION

Re. VERONA RICKETTS

GROSS AMOUNT OF SETTLEMENT. \$95,000.00

LESS EXPENSES.

Medical Records	199.99	
Treasurer, State of NJ/Filing Fee	250.00	
Court House Legal/Service	125.00	
Rosenberg & Associates/Depositions	367.65	
Postage, Mailings & Duplications	316.26	
		1,258.90

FUNDS AVAILABLE FOR DISTRIBUTION. \$93,741.10

LESS COUNSEL FEE. 31,247.00

GROSS AMOUNT DUE CLIENT \$62,494.10

MEDICAL BILLS/LIENS TO BE PAID.

Dr. Bollinger	390.30	
Aims Diagnostic	68.75	
Relievus	177.77	
		636.82

BALANCE DUE CLIENT. \$61,857.28

I/We hereby approve the above settlement and distribution of the proceeds thereof, and acknowledge receipt of a check payable to my order in the amount of \$61,857.28 In full payment of my distributive share of said funds. I/We hereby also vouch for the accuracy of the above referred to medical bills. In addition, I agree that Aronberg, Kouser, Snyder & Lindemann, P.A. shall have no liability with respect to any unpaid medical bills. I/We further acknowledge that substantial time and effort put forth by the firm of Aronberg, Kouser, Snyder & Lindemann, P.A. on my behalf and I a fully satisfied with the resolution of my case.

Date.

VERONA RICKETTS

**ARONBERG, KOUSER, SNYDER
& LINDEMANN, P.A.**

Justin H. Sperling, Esquire

Attorney ID # 212012016

430 Route 70 West

Cherry Hill, New Jersey 08002

(856) 429-1700 Phone

(856) 429-4269 Facsimile

Attorneys for Debtor(s)

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW JERSEY

In the Matter of:	:	Chapter 13
	:	
VERONA RICKETTS,	:	Case No.: 19-14630-MBK
	:	
Debtor(s).	:	Hearing Date: May 19 th , 2020 at 9:00 a.m.
	:	

**CERTIFICATION IN SUPPORT OF DEBTOR'S MOTION TO APPROVE
SETTLEMENT**

VERONA RICKETTS, of full age, hereby certifies as follows:

1. I am the Debtor in the above referenced matter.
2. I was injured in an automobile accident on or about August 18, 2016.
3. My attorneys to prosecute the personal injury action were the law firm of Aronberg, Kouser, Snyder & Lindemann, whose retention was approved by this Court.
4. I believe it to be in my best interest and the best interest of the debtor estate to settle my personal injury action in accordance with the proposed Statement of Distribution attached as Exhibit B to the Motion seeking approval of the settlement.
5. I am asking the Court to approve the settlement and allow distribution pursuant to the Statement of Distribution and pursuant to the Order Approving Settlement.

I hereby certify that the foregoing statements made by me are true. I am aware that if any said statements are willfully false, I am subject to the punishment.

/s/ Verona Ricketts
VERONA RICKETTS

Dated: April 16, 2020

UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY	
Caption in Compliance with D.N.J. LBR 9013-4	
ARONBERG, KOUSER, SNYDER & LINDEMANN, P.A. Justin H. Sperling, Esquire Attorney ID # 212012016 430 Route 70 West Cherry Hill, New Jersey 08002 (856) 429-1700 Phone (856) 429-4269 Facsimile Attorneys for Debtor(s)	
In the Matter of:	Chapter 13
VERONA RICKETTS,	Case No.: 19-146360-MBK
Debtor(s).	Hearing Date: May 19 th , 2020 at 9:00 a.m.
	Judge: Michael B. Kaplan

ORDER APPROVING SETTLEMENT

The relief set forth on the following pages, numbered two (2) through two (2) is hereby **ORDERED**.

Case No.: 19-146360-MBK

Debtor(s): Verona Ricketts

Caption of Order: ORDER APPROVING SETTLEMENT

THIS MATTER having been opened to the Court by Justin H. Sperling, Esquire, of Aronberg, Kouser, Snyder & Lindemann, PA, attorneys for the above captioned Debtor, pursuant to Debtor's Motion to Approve Personal Injury Settlement, and the Court having reviewed the documents on file and having heard the arguments of counsel, and for good cause shown;

IT IS HEREBY ORDERED that the Motion is granted.

IT IS FUTHER ORDERED that the Debtor's settlement as set forth in the Statement of Distribution attached to the Motion as Exhibit B is hereby approved.

IT IS FURTHER ORDERED that the personal injury proceeds can be distributed by Special Counsel in accordance with the Statement of Distribution attached to the Motion as Exhibit B.

IT IS FURTHER ORDERED that the net proceeds of the settlement shall be forwarded to Aronberg, Kouser, Snyder & Lindemann, PA to be placed in its trust account, and that the sum due to the Chapter 13 Trustee shall be paid from the Aronberg, Kouser, Snyder & Lindemann, PA trust account and that the balance shall be remitted to the Chapter 13 Debtor.

UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY	
Caption in Compliance with D.N.J. LBR 9004-1(b)	
ARONBERG, KOUSER, SNYDER & LINDEMANN, P.A. Justin H. Sperling, Esquire Attorney ID # 212012016 430 Route 70 West Cherry Hill, New Jersey 08002 (856) 429-1700 Phone (856) 429-4269 Facsimile Attorneys for Debtor(s)	
In Re:	Case No.: <u>19-146360-MBK</u>
VERONA RICKETTS,	Chapter: <u>13</u>
Debtor(s).	Adv. No.: _____
	Hearing Date: _____
	Judge: <u>Michael B. Kaplan</u>

CERTIFICATION OF SERVICE

1. I, Justin H. Sperling :
- ☒ represent the Debtor(s) in this matter.
- ☐ am the secretary/paralegal for _____, who represents
_____ in this matter.
- ☐ am the _____ in this case and am representing myself.
2. On April 18, 2020, I sent a copy of the following pleadings and/or documents
to the parties listed in the chart below.
Notice of Chapter 13 Debtor's Motion to Approve Settlement, Motion, Certification in
Support of Motion and Proposed Order.
3. I certify under penalty of perjury that the above documents were sent using the mode of service
indicated.

Date: April 18, 2020 /s/ Justin H. Sperling
Signature

Name and Address of Party Served	Relationship of Party to the Case	Mode of Service
Albert Russo Chapter 13 Standing Trustee Cn 4853 Trenton, NJ 08605	Trustee	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> Other _____ (As authorized by the Court or by rule. Cite the rule if applicable.)
Maria Cozzini, Esquire Stern, Lavinthal & Frankenberg, LLC 105 Eisenhower Parkway Roseland, NJ 07068	Attorney for Carrington Mortgage Services, LLC	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> Other _____ (As authorized by the Court or by rule. Cite the rule if applicable.)
Harold N. Kaplan, Esquire RAS Citron, LLC 133 Gaither Drive Mt. Laurel, NJ 08054	Attorney for Carrington Mortgage Services, LLC	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> Other _____ (As authorized by the Court or by rule. Cite the rule if applicable.)
John R. Morton, JR., Esquire Law Offices of John R. Morton, Jr. 110 Marter Avenue, Suite 301 Moorestown, NJ 08057	Attorney for Thrift Investment Corporation	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> Other _____ (As authorized by the Court or by rule. Cite the rule if applicable.)
Eamonn O' Hagan, Esquire U.S. Attorneys Office 970 Broad Street, Suite 700 Newark, NJ 07102	Attorney for United States of America (Internal Revenue Service)	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> Other _____ (As authorized by the Court or by rule. Cite the rule if applicable.)

Name and Address of Party Served	Relationship of Party to the Case	Mode of Service
Rebecca Ann Solarz, Esquire KML Law Group, P.C. 701 Market Street, Suite 5000 Philadelphia, PA 19106	Attorney for Toyota Motor Credit Corporation	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> Other _____ (As authorized by the Court or by rule. Cite the rule if applicable.)
		<input type="checkbox"/> Hand-delivered <input type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> Other _____ (As authorized by the Court or by rule. Cite the rule if applicable.)
		<input type="checkbox"/> Hand-delivered <input type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> Other _____ (As authorized by the Court or by rule. Cite the rule if applicable.)
		<input type="checkbox"/> Hand-delivered <input type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> Other _____ (As authorized by the Court or by rule. Cite the rule if applicable.)
		<input type="checkbox"/> Hand-delivered <input type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> Other _____ (As authorized by the Court or by rule. Cite the rule if applicable.)

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

In Re:

Verona Ricketts

Case No.:

19-14630

Chapter:

13

Judge:

Michael B. Kaplan

NOTICE OF PROPOSED COMPROMISE or SETTLEMENT OF CONTROVERSY

Verona Ricketts, Chapter 13 Debtor, in this case proposes a compromise, or to settle a claim and/or action as described below. If you object to the settlement or compromise, you must file a written objection with the Clerk of the United States Bankruptcy Court, and serve it on the person named below not later 7 days before the hearing date.

Address of the Clerk: Clarkson S. Fisher US Courthouse
402 E. State Street
Trenton, NJ 08608

If an objection is filed, a hearing will be held before the Honorable Michael B. Kaplan on May 19, 2020 at 9:00 a.m. at the United States Bankruptcy Court, courtroom no. #8, (hearing to be scheduled for at least 28 days from the date of the filing of the notice). If no objection is filed the clerk will enter a *Certification of No Objection* and the settlement may be completed as proposed.

Nature of action: Personal Injury Action

Pertinent terms of settlement: Gross settlement of \$95,000 out of an available \$100,000.00. Net proceeds to Chapter 13 Debtor would be approximately \$61,857.28.

Objections must be served on, and requests for additional information directed to:

Name: Justin H. Sperling, Esquire, Arongberg, Kouser, Snyder & Lindemann, P.A.

Address: 430 Route 70 West, Cherry Hill, NJ 08002

Telephone No.: 856-429-1700